

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
Statesville Division

Laura T. Beyer, Judge Presiding

**FRIDAY, OCTOBER 9, 2015**

**Steven G. Tate, Trustee**

**9:30 a.m.**

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|----|----|-----------------|----------|--|
| 1) | 13 | Michael L. Shor | 13-50008 | 3 <sup>rd</sup> continued status hearing on order granting debtor's motion for moratorium (71, 68, 64)                           |
|    |    |                 |          | 2 <sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (76); debtor's response (77) |

PRO SE  
KEENAN

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|----|----|--------------------------------------|----------|---|
| 2) | 13 | Daniel E. Hardee<br>Sherry S. Hardee | 13-50934 | Hearing on female debtor's motion to modify plan, to surrender the residence, to modify the plan payment, to allow secured creditors on the residence 180 days after the order to file a deficiency claim (24); Trustee's response (27) |
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PRO SE  
ELLIOTT

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| 3) | 13 | Remy C. Martin | 14-50577 | Continued hearing on debtor's objection to claim (20) |
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DILLENBECK

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4)	13	Keith C. Olsen	15-50073	2 <sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (34)
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ELLIOTT

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5)	13	John L. Fraley, Jr.	15-50574	Hearing on court order to appear and show cause for dismissal of case (5, 1)
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GARDNER

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6)	13	Alden L. Cahill	14-50880	Hearing on Trustee's objection to claim (41); response [Nationstar Mortgage, LLC] (44)
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GRIFFIN  
PARROTT

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7)	13	Ashley D. Sherrill	14-50664	Hearing on Trustee's motion to dismiss or modify plan for payment default (28)
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HALL

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8)	13	Jan R. Wellborn	14-50580	Continued status hearing on order confirming Chapter 13 plan (73)
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SPERBER

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9)	13	Julian E. Walker Mary G. Walker	15-50338	Hearing on debtors' motion for authorization to convey vehicle or, in the alternative, to execute title documents required to perfect replacement lien (25)
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SUMMERLIN

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10)	13	Reinaldo O. Moloon Lucia V. Moloon	15-50316	Continued hearing on objection to confirmation of plan [CommunityOne Bank, N.A.] (13, 8, 2)
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BRUDI  
KIRK  
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11)	13	Margarida M. Garcez	15-50568	2 <sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (34)
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BRUDI  
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12)	13	Lynn T. Morrison Kiasha La-Shonta Morrison	13-50731	Hearing on debtors' motion to incur debt (19); Trustee's response (20)
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MALLORY  
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13)	13	Randy D. Gobble	15-50013	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (19)
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Status hearing on order confirming  
Chapter 13 plan (15)

MALLORY  
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14)	13	Wesley O'Neal Summers Cynthia N. Summers	15-50520	Hearing on debtors' motion to extend time to pay first money (13, 12)
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MALLORY  
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| 15) | 13 | James E. Taylor                        | 11-50287 | Continued hearing on motion for relief from stay and co-debtor stay [Onyx Acceptance Corp.] (33); debtor's response (34) |
|     |    | BOLGER<br>OGBURN<br><br>-----          |          |  |
| 16) | 13 | Gregory R. Church<br>Christy L. Church | 13-50440 | Hearing on Trustee's motion to dismiss or modify plan for payment default (31)   |
|     |    | BOLGER<br><br>-----                    |          |  |
| 17) | 13 | Cynthia A. Benfield                    | 15-50058 | Status hearing on consent order resolving the objection to confirmation of debtor's Chapter 13 plan (42, 30)             |
|     |    | BOLGER<br><br>-----                    |          |  |
| 18) | 13 | David A. Bryan<br>Pamela S. Bryan      | 15-50396 | Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (16, 15, 11, 7)                  |
|     |    | BOLGER<br><br>-----                    |          |  |
| 19) | 13 | Jonathan M. Lakey                      | 14-50405 | Hearing on Trustee's objection to claim (21); response [Residential Credit Solutions, Inc.] (24)                         |
|     |    | LUCK<br>HARRIS<br><br>-----            |          |  |
| 20) | 13 | Sheila S. Broyhill                     | 14-50900 | Continued hearing on Trustee's motion to dismiss or modify plan for payment default (19)                                 |
|     |    | LUCK<br><br>-----                      |          |  |

21)	13	Brittany M. Tillman	15-50027	Hearing on Trustee's motion to modify plan (22); debtor's response (24)
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LUCK

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22)	13	Ryan E. Siegmann Susan A. Siegmann	11-50152	Continued hearing on Trustee's motion to modify plan (58); debtors' response (59)
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LAMONTAGNE

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23)	13	Kenneth H. Kokotkiewicz Evelyn M. Kokotkiewicz	11-51545	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (39)
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Continued hearing on female debtor's motion to modify plan and motion for hardship discharge (44, 41); Trustee's response (42)

LAMONTAGNE

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24)	13	Linda H. Perry	12-51148	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (30)
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LAMONTAGNE

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25)	13	Charlene L. Jolly	15-50064	Hearing on Trustee's motion to dismiss or modify plan for payment default (20); debtor's response (21)
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LAMONTAGNE

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- 26) 13 Susan D. Brotherton 15-50126 3rd continued hearing on objection to confirmation of plan [USA/IRS] (23, 21, 19, 14, 13, 2)
- 2nd continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (15, 14, 2)
- Hearing on debtor's objection to claim (25); response [USA/IRS] (27)
- LAMONTAGNE  
BECK  
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- 27) 13 Lisa L. Jackson 13-50555 3rd continued hearing on Trustee's motion to dismiss (18)
- WOOD  
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- 28) 13 Mark P. Chaney 13-50957 Hearing on Trustee's motion to dismiss or modify plan for payment default (20)
- WOOD  
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- 29) 13 Nathan L. Winkler 13-51058 8th continued hearing on Trustee's motion to dismiss (36)
- Tina K. Winkler
- Status hearing on order granting debtors' motion for approval to pay trial period payments to Ocwen Loan Servicing, LLC (55, 51)
- WOOD  
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30)	13	Jason C. Cline Amy M. Cline	14-50373	Hearing on Trustee's motion to dismiss or modify plan for payment default (51)
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WOOD

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31)	13	Eva L. Wilson	15-50442	Continued hearing on objection to confirmation of plan [JPMorgan Chase Bank, N.A.] (10, 9)
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WOOD  
WADSWORTH

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32)	13	Billie S. Schronce, Jr.	15-50464	Continued hearing on objection to confirmation of plan [Carolina Trust Bank] (17, 12, 11); debtor's response (16)
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Continued hearing on motion for  
relief from stay and co-debtor stay  
[Carolina Trust Bank] (13);  
Trustee's response (15); debtor's  
response (16)

Hearing on Trustee's objection to  
confirmation of Chapter 13 plan  
and motion to dismiss (22, 11)

WOOD  
SUMMERLIN

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33)	12	Jeffrey C. Foster	09-51433	4th continued hearing on debtor's motion for contempt of order of the court (61)
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FLIPPIN

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34)	13	Charles W. Hall Rebecca J. Hall	13-50064	Hearing on Trustee's motion to dismiss or modify plan for payment default (22)
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FLIPPIN

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35)	13	Johnny C. Combs Melissa A. Combs	13-50718	Hearing on debtors' motion to approve settlement (27); Trustee's response (29)
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FLIPPIN

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36)	13	Chad E. Clifton	14-50299	Hearing on debtor's motion to substitute collateral (24); Trustee's response (25)
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FLIPPIN

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37)	13	Steven G. Pleasants Sheila W. Pleasants	14-50803	Hearing on Trustee's motion to dismiss or modify plan for payment default (19)
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FLIPPIN

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38)	13	Roy G. Johnson Linda P. Johnson	15-50053	Hearing on debtors' motion for sanctions against Nationstar Mortgage, LLC (24)
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FLIPPIN

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39)	13	Kenneth C. Royal Janet C. Royal	15-50337	2 <sup>nd</sup> continued hearing on objection to confirmation of plan [First Bank & Trust Company] (11, 3)
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FLIPPIN  
DUKE

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40)	13	Larry D. Morissette Tina A. Morissette	10-51095	Hearing on Trustee's motion to deem mortgage current or paid in full (77); response [Key Bank, N.A.] (80)
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Hearing on debtors' motion for entry of discharge and debtor certification regarding plan completion (79); response [Key Bank, N.A.] (80)

GOURLEY  
OBGURN

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41)	13	James C. Robinson Tiffany B. Robinson	13-50224	Hearing on Trustee's motion to dismiss or modify plan for payment default (43); debtors' response (44); response [Lori Thomas] (45)
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GOURLEY  
PRO SE

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42)	13	Gregory J. Bondy	13-50340	Hearing on Trustee's motion to dismiss or modify plan for payment default (31)
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GOURLEY

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43)	13	Candi M. Hicks	13-50378	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (43)
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GOURLEY

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44)	13	Sharon M. Walters	14-50146	2 <sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (38)
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GOURLEY

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45)	13	Robert L. Meadows Teri M. Meadows	14-50285	Hearing on Trustee's motion to dismiss or modify plan for payment default (42)
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GOURLEY

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46)	13	Susan E. Pope Keith L. Pope	14-50499	Hearing on Trustee's motion to dismiss or modify plan for payment default (30)
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GOURLEY

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47)	13	Susan T. Mullis	14-50605	Continued hearing on Trustee's motion for review (14)
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GOURLEY

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48)	13	Billy R. Torrence	14-50695	Hearing on Trustee's motion to dismiss or modify plan for payment default (21)
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GOURLEY

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49)	13	Randy E. Moose	14-50741	Continued hearing on Trustee's motion to dismiss (18)
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GOURLEY

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50)	13	Jerry G. Davenport	15-50035	Hearing on debtor's objection to claim (35)
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GOURLEY

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51)	13	Joshua A. Knotts Kelly D. Knotts	15-50368	Continued hearing on debtors' motion for authority to use IRA funds (15); Trustee's response (17)
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GOURLEY

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52)	13	Lawrence L. Rutkauskas	15-50375	Hearing on motion to extend time to object to discharge- dischargeability [Leanna Self] (22, 21)
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Hearing on motion to extend  
deadline for objecting to  
confirmation of the debtor's  
Chapter 13 plan [Leanna Self] (23)

GOURLEY  
JOHNSON

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53)	13	Allen S. Clanton	15-50405	Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (16, 11, 9, 3)
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GOURLEY

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**10:30 a.m.**

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| 54) | 7                                    | Kelly D. Beheler<br><br>BRUDI<br>WRIGHT, TR.<br>BARRETT<br><br>-----                      | 15-50374                  | Continued hearing on motion for relief from stay [SunTrust Bank] (8); Trustee's response (9)   |
| 55) | 7                                    | Michael M. Quickel, Jr.<br>Paula W. Quickel<br><br><br><br>ELLIOTT<br>SIGMON<br><br>----- | 13-50845                  | Hearing on application for compensation to Sigmon & Henderson (128)<br><br>Hearing on application for compensation to Sigmon & Henderson (129)<br><br>Hearing on Trustee's motion to sell property free and clear of liens (138) |
| 56) | Adv. Homelife, LLC<br>v.<br>Winfield | GATES/LIFSON<br>GOURLEY<br>WRIGHT<br><br>-----  | 15-05007<br>7<br>14-50742 | 2 <sup>nd</sup> continued pre-trial conference (14)  |
| 57) | 7                                    | Robert L. Newman<br>Sharon E. Newman<br><br>GRIFFIN<br>TAYLOR, TR.<br><br>-----           | 13-50207                  | Hearing on Trustee's motion to turnover against U.S. Trust (25)  |

- 58) 7 Manfred N. Spaeth 15-50061 2<sup>nd</sup> continued hearing on debtors' motion to allow exemptions (13); Joy A. Spaeth Trustee's response (14)
- Hearing on female debtor's objection to Trustee seizing and distributing life insurance proceeds of deceased male debtor (20)
- LAMONTAGNE  
TAYLOR, TR.
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- 59) 7 David L. Ellington 12-50995 4<sup>th</sup> continued hearing on Trustee's motion to turnover documents, Brenda B. Ellington information and payment received regarding EHH stock against debtors (21); debtors' response (22)
- LANEY  
TAYLOR/CRAWFORD, TR.
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- 60) 7 Donald W. Gelnow 13-50631 Hearing on motion for relief from stay [Wells Fargo Bank, N.A.] (44); debtor's response (45)
- MALLORY  
KEENAN
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- 61) Adv. Crawford 14-05029 2<sup>nd</sup> continued pre-trial conference  
v. 7 (18)  
Tapanes 12-50842
- TAYLOR  
WRIGHT  
TAYLOR/CRAWFORD
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- 62) 7 Jacqueline L. Farrington 12-51055 Hearing on Trustee's motion for order determining that debtor waived exemption and/or cannot amend exemption election to claim a potential personal injury recovery (18)
- Hearing on Trustee's application to employ attorney Blasingame, Burch, Garrard & Ashley, PC; Dan Chapman & Associates, LLC; and Pinto, Coates, Kyre & Brown, PLLC (19)
- VUJOVIC  
SIGMON, TR.  
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- 63) 7 Alex B. Fulbright 15-50269 2<sup>nd</sup> continued hearing on motion for relief from stay [Wells Fargo Bank, N.A.] (13); Trustee's response (14)
- Rebecca F. Fulbright
- WOOD  
SHEEK  
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- 64) 7 Charles A. Caputo 12-50986 4<sup>th</sup> continued hearing on motion for relief from stay [US Bank, N.A.] (75); debtor's response (76)
- BADGER  
SHADDOCK/TAYLOR, TR.  
UNDERWOOD  
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- 65) 7 Steven R. Craig, Sr. 13-50821 Hearing on motion to withdraw as attorney [David R. Badger] (63)
- BADGER  
SIGMON, TR.  
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- 66) 11 Randy W. Burke 15-50047 Hearing on debtors' motion to  
Patricia C. Burke convert case from Chapter 11 to  
Chapter 7 (54)
- Hearing on debtors' motion to  
extend exclusivity period (55)

BALENTINE

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- 67) 7 Sandra W. Martin 15-50272 Continued hearing on motion to  
withdraw as attorney [Kerry L.  
Balentine] (17)

BALENTINE  
WRIGHT, TR.

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- 68) Adv. Crawford 13-05032 Continued hearing on defendant  
v. 7 Clay B. Bollinger's motion to  
Bollinger, et al. 11-51092 dismiss, or motion to sever and  
motion for a more definite  
statement (12); plaintiff's response  
(20)

SHADDOCK/TAYLOR  
ELLIOTT  
COOPER  
WOOD  
TUTTLE

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- 69) Adv. Crawford 13-05041 Hearing on plaintiff's motion to  
v. 7 approve settlement (63, 59);  
Christopher, Jr., et al. 11-51357 defendants' response (62)

SHADDOCK/TAYLOR  
IVEY/MCDONOUGH/LANEY

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70)	11	MGM Group Holdings, LLC	15-50414	Hearing on debtor's motion to assume unexpired real property lease and to reject franchise agreement and/or for related extension of time (44)
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DIMATTEO/WRIGHT

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71)	11	Union Grove Saw & Knife, Inc.	14-50617	Status hearing on order in aid of consummation (168, 150)
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THOMPSON/RAUBACH/STEWART

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72)	11	Mooresville Commons, LLC	15-50352	Hearing on debtor's Chapter 11 disclosure statement (53, 1)
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THOMPSON

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**11:00 a.m.**

73)	13	Stephen S. Smith	13-50927	Continued hearing on motion for relief from stay [Marcia C. Smith] (48, 44); debtor's response (49)
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GOURLEY  
MALLORY

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